



BRB No. 19-0336 BLA
Case No. 18-BLA-05538

RONALD L. BARGER)	
)	
Claimant)	
)	
v.)	
)	
PERRY COUNTY COAL, LLC)	DATE ISSUED: 07/14/2020
)	
Employer-Petitioner)	
)	
DIRECTOR, OFFICE OF WORKERS')	
COMPENSATION PROGRAMS, UNITED)	
STATES DEPARTMENT OF LABOR)	
)	
Party-in-Interest)	ORDER

Employer appealed the Decision and Order Awarding Benefits (2018-BLA-05538) of Administrative Law Judge Jason A. Golden rendered on a claim filed pursuant to the Black Lung Benefits Act, as amended, 30 U.S.C. §§901-944 (2012) (Act). On April 27, 2020, counsel for Employer filed a Motion to Withdraw as Counsel of Record, informing the Board that due to Employer’s Chapter 11 bankruptcy plan, it no longer has sufficient assets to satisfy this black lung claim. In a response dated June 8, 2020, the Director, Office of Workers’ Compensation Programs (the Director), filed a Motion to Remand for Payment of Benefits by the Black Lung Disability Trust Fund (the Trust Fund). The Director states that the Trust Fund accepts liability for this claim and does not contest Claimant’s entitlement to benefits. The Director requests that the Board dismiss the appeal, and remand this case to the district director for the payment of benefits by the Trust Fund.

In view of the above, the Board grants the Director's Motion, dismisses this appeal, and remands this case to the district director for the payment of benefits by the Trust Fund. *See* 26 U.S.C. §9501(d)(1)(B); 20 C.F.R §725.1(c), (c).

JUDITH S. BOGGS, Chief
Administrative Appeals Judge

GREG J. BUZZARD
Administrative Appeals Judge

DANIEL T. GRESH
Administrative Appeals Judge